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AGAMATRIX, INC.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

ABBOTT LABORATORIES and  
ABBOTT DIABETES CARE, INC.,

Plaintiffs,

vs.

AGAMATRIX, INC.,

Defendant.

CASE NO. C 06 07268-JF

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE  
BETWEEN PLAINTIFFS AND  
DEFENDANT AGAMATRIX, INC**

Crtrm: 3 (Hon. Jeremy D. Fogel)

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiffs Abbott Laboratories and Abbott Diabetes Care Inc. and Defendant AgaMatrix, Inc., by and through their undersigned counsel, do hereby stipulate and agree to a dismissal of the above-captioned action in its entirety with prejudice, including all claims and counterclaims, with each party to bear its own attorneys' fees and costs, and waiving all rights of appeal.

Respectfully submitted,

By: /s/ Rohit K. Singla  
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Dated: April 5, 2011

SO ORDERED.

  
UNITED STATES DISTRICT JUDGE

**PROOF OF SERVICE**

I certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on April 4, 2011

/s/ Roland H. Schwillinski  
Roland H. Schwillinski